

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ROBERT D. HAUGHIE

:

Plaintiff

:

v

:

Civil Rights Action No. AW-06-185

DAVID EARL and
PHS MEDICAL SERVICES

:

Defendants

:

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MEMORANDUM

The above-captioned complaint, filed on January 23, 2006, seeks monetary damages against Defendants for failure to comply with Plaintiff's requests for documents under the federal Freedom of Information Act. Paper No. 1. Because he appears to be indigent, Plaintiff's Motion to Proceed In Forma Pauperis shall be granted. Paper No. 2. For the reasons that follow, the Complaint must be dismissed.

Plaintiff alleges he has sought disclosure of records in the custody of Assistant Regional Director David Earl and Prison Health Medical Services and that Defendants' refusal to provide those records violates federal law. Paper No. 1. To the extent that Plaintiff is raising a claim under the federal Freedom of Information Act, he has failed to state a cognizable claim. The Freedom of Information Act (FOIA), 5 U.S.C. § 552, provides a mechanism for citizens to obtain documents from federal agencies and grants the federal district courts jurisdiction to review agency compliance with those requests. The named Defendants do not work for a federal agency subject to the provisions of FOIA.

To the extent that Plaintiff may have a cause of action under Maryland's Freedom of Information Act, he must pursue that claim in the appropriate state forum. *See* Md. St. Govt.

Code Ann. § 10-611 *et seq.*. Accordingly, the Complaint will be dismissed without prejudice.

A separate Order follows.

_____/s/_____
Alexander Williams, Jr.
United States District Judge